

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - JURY TRIAL DAY 10

Phoenix Division

MDL 15-2641-PHX-DGC
Year Case No Initials

DATE: 5/30/2018

Title: IN RE: Bard IVC Filters Products Liability Litigation
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HON: DAVID G. CAMPBELL

Traci C. Abraham
Deputy Clerk

Patricia Lyons/Laurie Adams
Court Reporter

APPEARANCES:

Mark O'Connor, Shannon Clark, Lincoln Combs, Paul Stoller

Attorney(s) for Plaintiff(s)

Richard North, Elizabeth Helm, James Rogers, Candace Camarata

Attorney(s) for Defendant(s)
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PROCEEDINGS: X Jury Trial

2nd Bellwether Trial- Plaintiff Doris Jones - Present

8:30 Court in session. Parties present. Court order doc. 11256 discussed. Testimony of John DeFord discussed. Court will review transcript of video deposition. Jury instructions and verdict form discussed. 8:56 Court in recess.

9:01 Court in session. Parties present. Jury present. Robert Carr Jr. testimony continues. Exhibits 7900, 3262, 3270, 3304, 4519(redacted), 4504(redacted), 4522(redacted), 4528(redacted), 4565, 1680(redacted), 4515(redacted), 802, 504, 769 admitted. 9:34 Michael Randall called in defense case and examined. Exhibit 8482 displayed demonstrative only. Exhibit 8546 admitted. 10:30 Jury excused. Exhibits 1032, 1722, 2148, 5247, 5239 discussed. Matter under advisement. 10:35 Court in recess.

10:52 Court in session. Parties present. Video testimony of John DeFord and exhibits 1032, 1722, 2148, 5247, 5239 reviewed by the Court. Cephalad migration death evidence will not be admitted. 10:59 Jury present. Michael Randall examination continues. 11:41 Exhibits 1618, 2045, 1617 admitted. 11:42 William Little appears by video deposition. 12:00 Jury excused. Discussion held with counsel. 12:03 Court in recess.

12:56 Court in session. Parties present. Discussion with counsel. 1:02 Jury present. William Little video deposition continues. 1:09 Dr. Scott Trerotola appears by video deposition. 1:21 Chad Modra called in defense case and examined. Exhibit 7961, 7962, 1680(redacted), 7411, 5872, 5483 admitted. 2:30 Court in recess.

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Day 10 Jury Trial- Jones Trial

2:46 Court in session. Parties present. Jury present. Chad Modra examination continues. Exhibit 5563,5874,2217 admitted. 3:30 Defendant rest. 3:30 sidebar - Plaintiff oral motion for rule 50 made. Plaintiff to call Dr. Mark Moritz on rebuttal. 3:36 Plaintiff rebuttal case begins. Dr. Mark Moritz appears by video deposition. 3:46 Plaintiff rest. Jury excused until 9:00 a.m. on 5/31/2018. 3:46 Plaintiff oral motion for rule 50 failure to mitigate claim argued. Motion is denied. Defendant renewed oral motion for rule 50 design defect, failure to warn claim, future pain and suffering, punitive damages. Motion is denied. Jury instructions discussed. 4:30 Court in recess.

Jury trial continues at 8:30 a.m. on 5/31/2018.